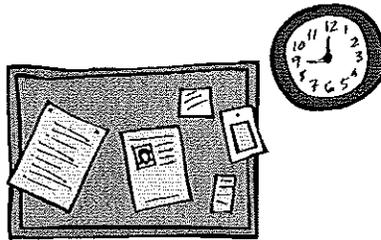


Safety Documentation



Required Notices and Posters with Supplemental Information

Required Notices and Posters

Kentucky

Poster

Legal Requirements

	Legal Requirements	Source	Notes
Wage Discrimination Because of Sex	The poster must be displayed in a conspicuous place where employees and applicants for employment can see it. Posting of the notice in other languages is not required.	www.labor.ky.gov	Must be printed in color.
Wage and Hour Laws	The poster must be displayed in a conspicuous place where employees and applicants for employment can see it. Posting of the notice in other languages is not required.	www.labor.ky.gov	Must be printed in color.
Child Labor Laws	The poster must be displayed in a conspicuous place where employees and applicants for employment can see it. Posting of the notice in other languages is not required.	www.labor.ky.gov	Must be printed in color.
Kentucky OSH Safety and Health and on the Job	The poster must be displayed in a conspicuous place where employees and applicants for employment can see it. Posting of the notice in other languages is not required.	www.labor.ky.gov	Must be printed in color either as a 8 1/2 by 14 inch with 10 point type poster, or both pages mounted together.

Unemployment Insurance Benefits

www.labor.ky.gov

Equal Employment Opportunity

www.labor.ky.gov

Federal

Poster

Legal Requirements

	Legal Requirements	Source	Notes
Federal Minimum Wage	Every employer of employees subject to minimum wage provisions must post, and keep posted, a notice explaining the Act in a conspicuous place. Although there is no size requirement for the poster, employees must be able to readily read it. The poster is also available in Spanish, Russian, and Chinese. There is no requirement to post the poster in languages other than English.	www.dol.gov	Must be printed in color.
Federal Minimum Wage State and Local Government Employees	Every employer of employees subject to minimum wage provisions must post, and keep posted, a notice explaining the Act in a conspicuous place. Although there is no size requirement for the poster, employees must be able to readily read it. The poster is also available in Spanish, Russian, and Chinese. There is no requirement to post the poster in languages other than English.	www.dol.gov	Must be printed in color.

Required Notices and Posters

Federal

Poster

Legal Requirements

All covered employers are required to display and keep on display a poster summarizing the major provisions of the Act and telling employees how to file a complaint. The poster must be displayed in a conspicuous place where employees and applicants for employment can see it and all locations even if there are no eligible employees. Although there is no particular size requirement, the poster and all the text must be enough to be easily. The poster is available in English and Spanish.

Family and Medical Leave Act of 1993

www.dol.gov

Must be printed in color.

Military Family Leave

See Family and Medical Leave Act of 1993

www.dol.gov

Must be printed in color.

WAGE DISCRIMINATION BECAUSE OF SEX

(KRS 207.140 to 207.240 - ERS 337.420 to 337.433 and ERS 337.990 (14))



DEFINITIONS

EMPLOYEE-

Any individual employed by any employer, including but not limited to individuals employed by the State or any of its political subdivisions, instrumentalities, or instrumentalities of political subdivisions.

EMPLOYER-

A person who has two or more employees within the State in each of twenty or more calendar weeks in the current or preceding calendar year and an agent of such a person.

WAGE RATE-

All compensation for employment, including payment in kind and amounts paid by employers for employee benefits, as defined by the Executive Director in regulations issued under this Act.

PROHIBITION OF THE PAYMENT OF WAGES BASED ON SEX:

The employer is prohibited from discriminating between employees of opposite sexes in the same establishment by paying different wage rates for comparable work on jobs which have comparable requirements. This prohibition covers any employee in any occupation in Kentucky. Any employer violating this Act shall not reduce the wages of any employee in order to comply with the Act.

No employer can discharge or discriminate against any employee for the reason that the employee sought to invoke or assist in the enforcement of the Act.

EXEMPTIONS FROM COVERAGE:

A differential paid through an established seniority system or merit increase system is permitted by the Act if it does not discriminate on the basis of sex.

Employers subject to the Fair Labor Standards Act of 1938, as amended, are excluded "when that act imposes comparable or greater requirements than contained" in this Act. However, to be excluded, the employer must file with the Executive Director of the Kentucky Office of Workplace Standards a statement that he is covered by the Fair Labor Standards Act of 1938, as amended.

ENFORCEMENT OF LAW AND POWER TO INSPECT:

The Executive Director or his authorized agent has the power to enter the employer's premises to inspect records, compare character of work and operations of employees, question employees, and to obtain any information necessary to administer and enforce this Act. The Executive Director or his authorized representative may examine witnesses under oath, and require by subpoena the attendance and testimony of witnesses and the production of any documentary evidence relating to the subject matter of any investigation undertaken pursuant to this Act. If a person fails to obey a subpoena, the Circuit Court of the Judicial District wherein the hearing is being held may issue an order requiring the subpoena to be obeyed. Failure to obey the court order may be punished as contempt of that court.

COLLECTION OF UNPAID WAGES:

Any employer who violates this Act is liable to the employee or employees affected in the amount of the unpaid wages. If the employer violates this Act willfully, he is liable for an additional equal amount as liquidated damages. The court may order other appropriate action, including reinstatement of employees discharged in violation of this Act.

The employee or employees affected may maintain an action to collect the amount due. At the written request of any employee, the Executive Director may bring any legal action necessary to collect the claim for unpaid wages in behalf of the employee.

An agreement between an employer and employee to work for less than the wage to which such employee is entitled will not bar any legal action or voluntary wage restitution.

STATUTE OF LIMITATIONS:

Court action under this Act may be commenced no later than six months after the cause of action occurs.

POSTING OF LAW:

All employers subject to the Act shall post this abstract in a conspicuous place in or about the premises wherein any employee is employed.

PENALTIES:

Any person who discharges or in any other manner discriminates against an employee because such employee has:

- made any complaint to his employer, the Executive Director or any other person, or
- instituted or caused to be instituted any proceeding under or related to this Act, or
- testified or is about to testify in any such proceedings, shall be assessed a civil penalty of not less than \$100 nor more than \$1,000.

FOR FURTHER INFORMATION CONTACT:

Kentucky Department of Labor
Division of Employment Standards,
Apprenticeship and Training
1047 U.S. HWY 127 South, Suite 4
Frankfort, Kentucky 40601-4381

"No individual in the United States shall, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any program or activity under the jurisdiction of the Kentucky Department of Labor."



POST THIS ORDER WHERE ALL EMPLOYEES MAY READ

PAID FOR WITH STATE FUNDS

DISCRIMINACIÓN DE SALARIO DEBIDO A SEXO

[KRS 337.420 y KRS 337.990(14)]

DEFINICIONES:

EMPLEADO

Cualquier individuo empleado por cualquier empleador, incluyendo pero no limitado a individuos empleados por el Estado o cualquiera de sus subdivisiones políticas, funcionalidades, o funcionalidades de subdivisiones políticas.

EMPLEADOR

Una persona que tiene dos o más empleados dentro del Estado por veinte o más semanas del año en curso o del año precedente o un agente de tal persona.

TASA DE SALARIO

Todas las compensaciones del empleo, incluyendo pagos de salario y sumas pagadas por los empleadores en beneficio del empleado, como ha sido definido por el Comisionado en regulaciones emitidas por esta Acta.

PROHIBICIÓN DE PAGOS Y SALARIOS QUE ESTEN BASADOS EN SEXO:

Se prohíbe que el empleador discrimine entre empleados de sexo opuesto en el mismo establecimiento pagando diferentes tasas de salario por trabajo comparable o por trabajo que tienen requerimientos comparables. Esta prohibición cubre cualquier ocupación en Kentucky. Cualquier empleador que viole esta Acta no deber reducir salarios con el objeto de cumplir con esta Acta. Ningún empleador podrá despedir o discriminar en contra de ningún empleado por razones que el empleado haya tratado de convocar o ayudar en la aplicación de esta Acta.

EXCEPCIONES DE CUBRIMIENTO:

Un pago diferencial establecido por el sistema de antigüedad o de mérito es permitido por esta Acta siempre que no sea discriminatorio sobre la base de sexo. Empleadores que están regidos por las Normas de Trabajo Equitativo (Fair Labor Standards) Acta de 1938, con modificaciones, están excluidos "Cuando aquella acta impone requerimientos comparables o mayores que los especificados" en esta Acta. Sin embargo, para ser excluido, el empleador deber registrar con el Comisionador de Normas del Trabajo del Departamento de Kentucky (Commissioner of the Kentucky Department of Workplace Standards) una declaración indicando que él está protegido por las Normas de Trabajo Equitativas de 1938 (Fair Labor Standards Act of 1938) con sus modificaciones.

EJECUCIÓN DE LA LEY Y DEL DERECHO DE INSPECCIÓN:

El Comisionado o su agente autorizado tiene el poder de entrar a las premisas del empleador para inspeccionar los registros, comparar la clase de trabajo y operaciones de los empleados, y de obtener cualquier información necesaria para la administración y aplicación de esta Acta. El Comisionado o su representante autorizado puede interrogar testigos bajo juramento, y demandar legalmente (subpoena) la concurrencia y testimonio de testigos y la producción de cualquiera documentación de evidencia relacionada con la materia de cualquiera investigación en cumplimiento de esta Acta. Si una persona no obedeciera a la demanda legal (subpoena), la Corte del Circuito (Circuit Court) del distrito judicial en el cual el proceso se está llevando a cabo puede emitir una orden demandando que la citación legal (subpoena) sea obedecida. La falta de obediencia a la orden de la Corte podrá a ser castigada como un desaffo (contempt) a esa Corte.

COBRANZA DE SALARIOS QUE NO SE HAYAN PAGADO:

Cualquier empleador que haya violado esta Acta tiene la responsabilidad del empleado o de los empleados afectados por la suma de salarios no pagados. En el caso que empleador haya violado intencionalmente esta Acta, él es entonces responsable por una suma adicional igual a la suma a los daños incurridos. La Corte puede ordenar otra acción apropiada, incluyendo la reincorporación de empleados despedidos en violación de esta Acta.

El empleado o los empleados afectados pueden instaurar una acción para cobrar la suma adeudada. Sobre la base de una solicitud por escrito de cualquier empleado, el Comisionado puede, en representación del empleado, ejecutar cualquiera acción legal necesaria para cobrar la demanda por salarios no pagados.

Un acuerdo entre un empleador y empleado para trabajar por menos que el salario al cual el empleado tiene derecho no impide una acción legal o voluntaria de restitución de salarios.

LIMITACIONES LEGALES:

La acción legal sobre la base de esta Acta debe ser iniciada en no más de seis meses después que la razón por esta acción haya ocurrido.

EXHIBICIÓN DE LA LEY:

Todos los empleadores sujetos a esta Acta deberán exhibir este abstracto en un lugar visible, cercano, o en la premisa donde el empleado ha sido contratado.

PENALIDADES:

Cualquiera persona que actúa, o en cualquier forma discrimina, en contra de un empleado debido a que el empleado haya:

- Hecho cualquiera queja a su empleador, al Comisionado, o a cualquiera otra persona, o
- Instituido o haya causando ser instituido de cualquier procedimiento contemplado o relacionado con esta Acta, o
- Haya testificado o que esté por testificar en cualquiera de tales procedimientos,

se le asignará una multa civil de no menos de \$100, pero no mayor de \$1000.



Para mayor información diríjase a:

Kentucky Department of Labor
Division of Employment Standards, Apprenticeship and
Training
1047 U.S. HWY 127 S., STE 4
Frankfort, KY 40601-4381
Teléfono: (502) 564-3070
FAX: (502) 564-2248
www.labor.ky.gov

EXHIBA ESTA ORDEN DONDE TODOS LOS EMPLEADOS PUEDAN LEERLA

Pagado con fondos del Estado

*Ningún individuo en los Estados Unidos, sobre la base de raza, color, religión, sexo, nacionalidad de origen, edad, incapacidad física, afiliación política o creencia, podrá ser excluido de gozar o de negarle beneficios, o ser sometido a discriminación en cualquier programa o actividad bajo la jurisdicción del Departamento del Trabajo (Labor Department).

KENTUCKY WAGE AND HOUR LAWS



POST THIS ORDER WHERE ALL EMPLOYEES MAY READ

MINIMUM WAGE:

Minimum wage rates and effective dates are as follows: \$3.85 per hour effective June 26, 2007; \$4.35 per hour effective July 1, 2008; and \$7.25 per hour effective July 1, 2009. Should the federal minimum wage rate as prescribed by 29 U.S.C. Section 206(a)(1) be higher, Kentucky's minimum wage rate will adjust to match the federal rate.

OVERTIME:

No employer shall employ any employee for a workweek longer than forty hours unless such employee receives compensation for employment in excess of forty hours in a workweek at a rate of not less than one and one-half times the hourly rate employed. This section does not apply to employees of retail stores engaged in work connected with selling, purchasing and distributing merchandise, wares, goods, articles or commodities, or to employees of restaurant, hotel and motel operations, to employees as defined and exempted from the overtime provision of the Fair Labor Standards Act in section 213(b)(1), 213(b)(10) and 213(b)(17) of Title 29, U.S.C. (KRS 337.285 Sec. (2)(6), (2)(8) and (4) County Employees).

EXEMPTIONS:

Minimum Wage (KRS 337.275) and Overtime (KRS 337.285) do not apply to the following list of employees: (1) Any individual employed in agriculture; (2) Any individual employed in a bona fide executive, administrative, supervisory or professional capacity or in the capacity of outside salesman, or as an outside collector as such terms are defined by administrative regulations of the Executive Director; (3) Any individual employed by the United States; (4) Any individual employed in domestic service in or about a private home. The provisions of this section shall include individuals employed in domestic service in or about the home of an employer where there is more than one domestic servant regularly employed; (5) Any individual classified and given a certificate by the Executive Director of Workplace Standards showing a status of handicapped worker or sheltered workshop employee under administrative regulations promulgated by the Executive Director of Workplace Standards; (6) Employees of retail stores, service industries, hotels, motels, and restaurant operations whose average annual gross volume of sales made for business done is less than ninety-five thousand dollars for the five preceding years exclusive of excise taxes at the retail level as if the employee is the parent, spouse, child, or other member of the employer's immediate family; (7) Any individual employed as a babysitter in the employer's home or as a companion by a sick, convalescing or elderly person or by the person's immediate family, in care for that sick, convalescing or elderly person and whose principal duties do not include housekeeping; (8) Any individual engaged in the delivery of newspapers to the consumer; (9) Any individual subject to the provisions of KRS Chapters 7, 16, 27A, 30A, and 18A provided that the secretary of the Personnel Cabinet shall have the authority to prescribe by administrative regulation those emergency employees, or others, who shall receive overtime pay rates necessary for the efficient operation of government and the protection of affected employees; (10) Any employee employed by an establishment which is an organized nonprofit camp, religious, or nonprofit educational conference center, if it does not operate for more than seven months in any calendar year; (11) Any employee whose function is to provide 24-hour residential care on the employer's premises in a parental role to children who are primarily dependent, neglected and abused and who are in the care of private nonprofit childbearing facilities licensed by the Cabinet for Health and Family Services under KRS Chapter 199; or (12) Any individual whose function is to provide 24-hour residential care in his or her own home as a family caregiver and who is approved to provide family caregiver services to an adult with a disability through a contractual relationship with a community mental health-nursing retardation board established under KRS 210.370 to 210.460, or is certified or licensed by the Cabinet for Health and Family Services to provide adult foster care. (KRS 337.101(2))

TIPPED EMPLOYEES:

Any employee engaged in an occupation in which more than \$30 dollars per month is customarily and regularly received in tips, the employer may pay a minimum of \$2.13 per hour if the employer's records can establish for each week where credit is taken, when adding the tips received to wages paid, not less than the minimum wage is received by the employee. Subsequently, the tipped rate will adjust to accordance with the federal minimum tipped rate as prescribed by 29 U.S.C. Sec. 206(a)(1). No employer shall use all or part of any tips or gratuities received by employees toward the payment of the minimum wage. (KRS 337.275(2)) No employer shall require an employee to remit to the employer any gratuities, or any portion thereof, except for the purpose of withholding amounts required by federal or state law. No employer shall require an employee to participate in a tip pool whereby the employee is required to remit to the pool any gratuity, or any portion thereof, for distribution among employees of the employer. Employees may voluntarily enter into an agreement to divide gratuities among themselves. The employer may inform the employees of the existence of a voluntary pool and the customary tipping arrangements of the employees at the establishment. Upon petition by the participants in the voluntary pool, and at the employer's own option and expense, an employer may provide custodial services for the safekeeping of funds placed in the pool if the account is properly identified and segregated from the other business records and open to examination by pool participants. (KRS 337.063)

RECORDS:

Every employer subject to the provisions of the Kentucky Minimum Wage Law shall make and preserve records containing the following information: (a) Name, address, and Social Security Number of each employee; (b) Hours worked each day and each week by each employee; (c) Regular hourly rate of pay; (d) Overtime hourly rate of pay for hours in excess of forty hours in a workweek; (e) Additions to cash wages at cost, or deductions (meals, board, lodging, etc.) from stipulated wages in the amount deducted, or at cost of the item for which deductions are made; (f) Total wages paid for each workweek and date of payment. Such records shall be kept on file for at least one year after entry. No particular form or order is prescribed for these records provided that the information required is easily obtainable for inspection purposes. (KRS 337.320)

REST PERIODS:

No employer shall require any employee to work without a rest period of at least ten (10) minutes during each four (4) hours worked except those employees who are under the Federal Railway Labor Act. This shall be in addition to the regularly scheduled lunch periods. No reduction in compensation shall be made for hourly or salaried employees. (KRS 337.362)

LUNCH PERIODS:

Employers, except those subject to the Federal Railway Labor Act, shall grant their employees a reasonable period for lunch, and such time shall be as close to the middle of the employee's scheduled work shift as possible. In no case shall an employee be required to take a lunch period sooner than three (3) hours after the work shift commences, nor more than five (5) hours from the time the work shift commences. This section shall not be construed to negate any provision of a collective bargaining agreement or mutual agreement between the employee and employer. (KRS 337.355)

PAYMENT OF WAGES:

Any employee who leaves or is discharged from employment shall be paid in full all wages or salary earned not later than the next normal pay period following the date of dismissal or voluntary leaving or fourteen (14) days following such date of dismissal or voluntary leaving whichever last occurs. (KRS 337.055)

UNLAWFUL FOR EMPLOYER TO WITHHOLD WAGES:

No employer shall withhold from any employee's wages any part of the agreed wage rate; unless (a) the employer is required to do so by local, state, or federal law, or (b) when a deduction is expressly authorized in writing by the employee to cover insurance premiums, hospital, or medical dues; or (c) other deductions not amounting to a rebate or deduction from the standard wage arrived at by collective bargaining or pursuant to wage agreement or statute; or (d) deductions for union dues where such deductions are authorized by joint wage agreements or collective bargaining contracts negotiated between employees and employees or their representatives. No employer shall deduct the following from the wages of employees: (a) Fines; (b) Cash shortages in a common money fund, cash box or register used by two (2) or more persons; (c) Breakage; (d) Losses due to acceptance by an employee of checks which are subsequently dishonored if such employee is given discretion to accept or reject any check; or (e) Losses due to defective or faulty workmanship, lost or stolen property, damage to property, default of customer credit or nonpayment for goods or services received by the customer if such losses are not attributable to employee's willful or intentional disregard of employer's interest. (KRS 337.060)

TIME AND A HALF FOR WORK DONE ON SEVENTH DAY OF WEEK:

Any employer who permits any employee to work seven days in any one workweek shall pay the rate of time and a half for the time worked on the seventh day. The above shall not apply in any case in which the employee is not permitted to work more than four hours during the workweek; or to telephone exchanges having less than five hundred subscribers; stenographers, bookkeepers or technical assistants of professions such as doctors, accountants, lawyers and other professions licensed under the laws of this state; employee subject to the Federal Railway Labor Act and seaman or persons engaged in operating boats or other water transportation facilities upon navigable streams; persons engaged in long railroad cars, common carriers under the supervision of the Department of Vehicle Regulation; and any officer, superintendent, foreman or supervisor whose duties are principally limited to directing or supervising other employees. (KRS 337.050)

PERFORMANCE BONDS:

Except for employers who have been doing business in the state for five (5) consecutive years, every employer engaged in construction work, or the severance, preparation, or transportation of minerals, shall furnish on a form prescribed by the Executive Director a performance bond to assure the payment of all wages due from the employer. Surety for the bond shall be an amount of money equal to the employer's gross payroll operating at full capacity for four (4) weeks. (KRS 337.200)

ADDITIONAL INFORMATION:

Kentucky Department of Labor
Division of Employment Standards,
Apprenticeship and Training
1047 U.S. HWY 127 South, Suite 4
Frankfort, Kentucky 40601-3338
Phone (502) 564-3070 Fax (502) 564-2238
Website: www.labor.ky.gov

"No individual in the United States shall, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any program or activity under the jurisdiction of the Kentucky Department of Labor."



LEYES DEL SALARIO Y PAGO POR HORA EN EL ESTADO DE KENTUCKY

EXIHA ESTA ORDEN DONDE TODOS LOS EMPLEADOS PUEDAN LEERLA

SALARIO MINIMO - La tarifa y fechas tomaran lugar en las siguientes fechas: \$5.85 por hora a partir del 26 de Junio del 2007, \$6.55 por hora a partir del 1 de Julio del 2008, y \$7.25 por hora a partir del 1 de Julio del 2009. Si la tarifa federal de salario mínimo prescrita por el Código de los Estados Unidos Sección 206 (a) (1) es mas alta, la tarifa de salario mínimo en Kentucky se ajustara a la tarifa federal

TIEMPO EXTRA - Ningún empleador deberá emplear trabajadores por una jornada semanal de trabajo de mas de cuarenta horas, a menos de que el trabajador reciba compensación por trabajar mas de cuarenta horas en una semana a una tarifa no menos de hora y media por cada hora extra contratada. Esta sección no se aplica a trabajadores de tiendas de menudeo involucradas con trabajo relacionado a ventas, compra y distribución de mercancías, bienes y artículos de consumo, o a trabajadores en operaciones de restaurantes, hoteles o moteles, tampoco se aplica a los trabajadores que se encuentren clasificados y exentos de la provisión de tiempo extra como lo define el Acta de Normas Equitativas del Trabajo (Fair Labor Standards Act) en sus secciones 213 (b) (1), 213 (b) (10) y 213 (b) (7) del Titulo 29, U.S.C. (KRS 337.285)

EXCEPCIONES - Ninguna parte en KRS 337.275 y en KRS 337.285 se aplicara a: (1) Cualquier individuo empleado en agricultura, (2) cualquier individuo empleado legal en la capacidad ejecutiva, administrativa, supervisora o profesional, en la capacidad de vendedor de campo o como cobrador de campo, como tales términos son definidos por las regulaciones administrativas del Comisionado; (3) Cualquier individuo empleado en los Estados Unidos; (4) Cualquier individuo empleado en el servicio domestico o en una casa privada si existen menos de tres empleados domésticos regularmente empleados; (5) Cualquier individuo clasificado y que se le haya dado un certificado por el Comisionado de Normas en el Lugar de Trabajo (Workplace Standards); (6) Empleados de tiendas de menudeo, industrias de servicios, hoteles, moteles, y operaciones de restaurantes cuyo ingreso promedio anual de ventas realizadas en sus transacciones es menos de noventa y cinco mil dólares en los últimos cinco años exclusivos de impuestos indirectos en el nivel menudeo o si el empleado es el padre, madre, cónyuge, hijo (a) u otro miembro de la familia inmediata del empleador; (7) cualquier individuo empleado como niñera o niñero en la casa del empleador o como acompañante de un enfermo, convalesciente o persona de la tercera edad o por un familiar inmediato de la persona, que cuida al enfermo, convalesciente o persona de la tercera edad y cuyos deberes principales no incluyen la limpieza de la casa; (8) Cualquier individuo encargado en la entrega de periódicos al consumidor; (9) Cualquier trabajador empleado por algún establecimiento que esta organizado como no lucrativo, religioso o un centro para conferencias educacionales no lucrativo, si no opera por mas de siete meses en cualquier calendario anual; o (10) un empleado cuyas funciones es de proveer cuidado residencial las 24 horas con el permiso del empleador desempeñando el papel de los padres a los hijos que son ante todo dependientes, descuidados y abusados y quienes están en el cuidado de instalaciones privadas no lucrativas para niños aprobados por el Gabinete de Familias y niños bajo el capitulo 199 de KRS. (KRS 337.010(2))

EMPLEADOS QUE RECIBEN PROPINAS - Efectivo a partir del 15 de Julio, 1998, para cualquier empleado dedicado a una ocupación en donde es costumbre recibir regularmente mas de \$30 dólares al mes en propinas, el empleador puede pagar un mínimo de \$2.13 dólares por hora si los registros del empleador pueden establecer por cada semana donde fue acreditado, cuando se agregan las propinas recibidas al salario, no menos del salario mínimo debe de ser recibido por el empleado. En consecuencia, la tarifa que se aplica a las propinas se ajustara de acuerdo con la tarifa que se aplica a las propinas mínimas a nivel federal, como es establecido por U.S.C. 29 Sección 206 (n) (1). Ningún empleador usara todo o parte de cualquier propina o gratificación recibida por los empleados para el pago del salario mínimo. (KRS 337.275(2)) Ningún empleador requerirá al empleado reportar al empleador cualquier gratificación, o alguna porción de esta, a excepción de que el propósito sea retener las cantidades que se requieran por la ley federal o estatal. Ningún empleador

requerirá al empleado que participe en un fondo de propinas donde el empleado sea requerido reportar al fondo cualquier gratificación o parte de ella, para la distribución entre los empleados o el empleador. Los empleadores pueden voluntariamente ser parte de un acuerdo para dividir las gratificaciones entre ellos mismos. El empleador puede informar a los empleados de la existencia de un fondo voluntario y de los arreglos que se acostumbren en la distribución de las propinas de los empleados del establecimiento. Con la petición de los participantes del fondo voluntario, y a opción y responsabilidad de gastos del propio empleador, el empleador puede proveer servicios de seguridad para poner bajo custodia los recursos que se destinen para el fondo si la cuenta es idéntica apropiadamente y separada de otros archivos del negocio y abierta a ser examinada por los participantes del fondo (KRS 337.065)

ARCHIVOS - Cada empleador que este sujeto a las provisiones establecidas por la Ley del Salario Mínimo en el Estado de Kentucky deberá registrar y conservar sus archivos que contengan la siguiente información: (a) Nombre y dirección de cada trabajador; (b) Horas trabajadas cada día de cada semana por cada trabajador; (c) La tarifa regular que se paga por hora; (d) La tarifa que se paga por hora por trabajar horas adicionales a la jornada semanal de cuarenta horas; (e) Agregados al salario que se pago de contado al costo, o deducciones (comidas, pensión, alojamiento, etc.) de los salarios que se estipulen en la cantidad que se deduzca, o al costo del producto por el cual las deducciones se aplicaron; (f) Salarios totales pagados por cada semana de trabajo y fecha del pago. Dichos archivos deberán ser conservados en un expediente por lo menos un año después de su ingreso. Ninguna forma en particular u orden es necesaria asumiendo que la información requerida se obtenga fácilmente para propósitos de inspección. (KRS 337.320)

PERIODOS DE DESCANSO - Ningún empleador requerirá a ningún empleado trabajar sin tomar su periodo de descanso por lo menos diez (10) minutos por cada cuatro (4) horas de trabajo, a excepción de aquellos trabajadores que se encuentran bajo el Acta Federal de Trabajo Ferroviaria (Federal Railway Labor Act.) Esto se establecerá adicionalmente al periodo programado para su almuerzo. Ninguna deducción en compensación deberá hacerse a los empleados salariales o que son pagados por hora. (KRS 337.365)

PERIODOS DE ALMUERZO - Los empleadores, a excepción de aquellos sujetos al Acta Federal de Trabajo Ferroviario, darán a sus empleados un periodo de almuerzo razonable, y tal periodo debe de darse lo mas cercano posible a la mitad de la jornada de trabajo programada del trabajador. En ningún caso se le requerirá al trabajador tomar su periodo de almuerzo antes de tres (3) horas después de haber iniciado su jornada de trabajo, tampoco se le requerirá tomar su almuerzo cinco (5) horas después de haber comenzado su jornada de trabajo. Esta sección no debe ser interpretada para negar cualquier provisión de un acuerdo colectivo o acuerdo mutuo entre el empleado y el empleador. (KRS 337.355)

PAGO DE SALARIOS - Cualquier empleado que sea despedido de su trabajo se le deberá pagar enteramente todas las compensaciones o salario que se haya ganado a más tardar antes de la fecha del siguiente pago normal a partir de la fecha del despido o abandono voluntario del trabajo o a los catorce (14) días siguientes a tal fecha de despido o abandono voluntario del trabajo lo que ocurra primero. (KRS 337.055)

ES ILEGAL PARA EL EMPLEADOR RETENER SALARIOS - Ningún empleador deberá retener ninguna parte de los salarios acordados del empleado, al menos (a) que al empleador le requieran hacerlo por parte de la ley local, estatal o federal; o (b) Cuando una deducción es explícitamente autorizada por escrito por el empleado para cubrir primas de seguro, deudas medicas o de hospital; u (c) otras deducciones que no corresponden a una rebaja o descuento del salario normal acordadas en las negociaciones colectivas o según al acuerdo salarial o estatuto; o (d) deducciones por cuotas del sindicato donde dichas deducciones son autorizadas por un conjunto de acuerdos o contratos colectivos de salarios negociados entre empleador y empleados o sus representantes. Ningún empleador deberá deducir de los salarios de los empleados lo siguiente: (a)

Fianzas; (b) carestía de dinero de contado en una caja colectiva, caja de ahorro o caja registradora que es utilizada por dos (2) o mas personas; (c) Quiebra; (d) perdidas debidas a la aceptación de cheques sin fondos por parte del empleado, los cuales son posteriormente inválidos si a tal empleado se le da a discreción aceptar o rechazar cualquier cheque; o (e) Perdidas que se atribuyan a defectos o mal funcionamiento del equipo de trabajo, pérdida o propiedad robada, daño a propiedad, falta de crédito del cliente o de pago por bienes o servicios recibidos por el cliente si dichas perdidas no se atribuyen a la voluntad del empleado, o indiferencia intencional en contra de los intereses del empleador. (KRS 337.060)

TIEMPO Y MEDIO POR TRABAJAR EL SEPTIMO DIA - Cualquier empleador que permita a sus empleados trabajar siete días a la semana debe de pagar la tarifa de tiempo y medio por cada hora que se trabaje en el séptimo día. Lo anterior, no se aplica a algún caso donde al empleado no se le permita trabajar mas de cuarenta horas a la semana; o a centrales telefónicas que tenga menos de quinientos suscriptores; taquígrafos, contadores o asistentes técnicos de profesionistas como doctores, contadores, abogados y otros profesiones autorizados bajo las leyes de este Estado; empleados sujetos al Acta Federal de Trabajo de Empleados Ferroviarios (Federal Railway Labor Act) y marítimos o personas involucradas en operaciones de embarcaciones u otras instalaciones de transportación naval y ríos navegables; personas que manejen carros ferroviarios que cuentan con sistema de congelación; transportistas comunes bajo la supervisión del Departamento de Regulación Vehicular (Department of Vehicle Regulation); cualquier oficial, consejero, capataz o supervisor cuyas responsabilidades son principalmente limitadas a dirigir o supervisar a otros empleados. (KRS 337.200)

DEPOSITO POR REALIZACION DE TRABAJO - Excepto para los empleadores que han estado haciendo negocios en el Estado por cinco (5) años consecutivos, cada empleador involucrado en el trabajo de construcción, o en el corte, preparación, o transportación de minerales, deberá proveer una forma prescrita por el Comisionado un deposito por realización de trabajo para garantizar el pago de todos los salarios que el empleador tenga que pagar. Este deposito debe de ser una cantidad de dinero equivalente a la nomina total operando en toda su capacidad por cuatro (4) semanas. (KRS 337.200)

GABINETE DEL MEDIO AMBIENTE Y PROTECCION PÚBLICA DEPARTAMENTO DEL TRABAJO OFICINA DE REGULACIONES EN EL LUGAR DE TRABAJO
1047 US HWY 127 S STE 4
FRANKFORT KY 40601-4381

<http://www.kylabor.net/>

TELEFONO (502) 564 3070 FAX (502) 564 2248

Pagado con fondos del Estado

"Ningún individuo en los Estados Unidos por motivos de raza, color, religión, sexo, origen nacional, edad, incapacidad, afiliación política o creencia, será excluido de participar o le serán negados beneficios o ser sujeto a discriminación bajo cualquier programa o actividad que se encuentre bajo la jurisdicción del Gabinete del Medio ambiente y Protección Pública."



KENTUCKY CHILD LABOR LAWS



HOURS OF WORK PERMITTED FOR MINORS 14 BUT NOT YET 18 YEARS OF AGE

AGE	MAY NOT WORK BEFORE	MAY NOT WORK AFTER	MAXIMUM HOURS WHEN SCHOOL IS IN SESSION	MAXIMUM HOURS WHEN SCHOOL IS NOT IN SESSION
14 & 15 Yrs.	7:00 A.M.	7:00 P.M. (9:00 P.M. June 1 through Labor Day)	3 Hours per day on a school day 8 Hours per day on a nonschool day 18 Hours per week	8 Hours per day 40 Hours per Week
16 & 17 Yrs.	6:00 A.M.	10:30 P.M. preceding a school day/1:00 A.M. preceding a nonschool day	6 Hours per day on a school day 8 Hours per day on a nonschool day *30 Hours per week (see asterisk below)	NO RESTRICTIONS

* A minor 16 or 17 years of age cannot work more than thirty (30) hours in any one (1) workweek when school is in session, except that a minor may work up to forty (40) hours in any one (1) workweek if a parent or legal guardian gives permission in writing and the principal or head of the school the minor attends certifies in writing that the minor has maintained at least a 2.0 grade point average in the most recent grading period. School certification shall be valid for one (1) year unless revoked sooner by the school authority. The parental permission and school certification shall remain at the employer's place of business.

Minors under 18 years of age shall not be permitted to work more than five (5) hours continuously without an interval of at least thirty (30) minutes for a lunch period. The beginning and ending of the lunch period shall be documented by the employer.

Definitions: Section 1. (1) "School in session" means that time as established by local school district authorities, pursuant to KRS 160.290.

Minors 14 but not yet 16 years of age may NOT be employed in: Any manufacturing, mining, or processing occupations, including occupations requiring the performance of any duties in workrooms or workplaces where goods are manufactured, mined, or otherwise processed; occupations which involve the operation or tending of hoisting apparatus or any power-driven machinery other than office machines; operation of motor vehicles or service as helpers on such vehicles; public messenger service; occupations in connection with: Transportation of persons or property by rail, highway, air, water, pipeline, or other means, warehousing and storage, communications and public utilities, construction (including demolition and repair).

OCCUPATIONS PROHIBITED FOR ALL MINORS UNDER 18 YEARS OF AGE

- Occupations in or about Plants or Establishments Manufacturing or Storing Explosives or Articles Containing Explosive Components.
- Motor-vehicle Driver and outside helper on a motor vehicle.
- Coal Mine Occupations.
- Logging or Sawmill Operations.
- Operation of Power-Driven Woodworking machines.
- Exposure to Radioactive Substances.
- Power-driven hoisting apparatus, including forklifts.
- Operation of Power-Driven Metal Forming, punching, and shearing machines.
- Mining, other than coal mining.
- Operating power-driven meat processing equipment, including meat slicers and other food slicers, in retail establishments (such as grocery stores, restaurants, kitchens and Dells), wholesale establishments, and most occupations in meat slaughtering, packing, processing, or rendering.
- Operation of Power-driven bakery machines including vertical dough or batter mixers.
- Power-driven paper products machines including scrap paper baler and cardboard box compactors.
- Manufacturing bricks, tile, and kindred products.
- Power-driven circular saws, band saws, and Guillotine shears.
- Wrecking, demolition, and shipbreaking operations.
- Roofing operations and all work on or about a roof.
- Excavating Operations.
- In, about or in connection with any establishment where alcoholic liquors are distilled, rectified, compounded, brewed, manufactured, bottled, sold for consumption or dispensed unless permitted by the rules and regulations of the Alcoholic Beverage Control Board (except they may be employed in places where the sale of alcoholic beverages by the package is merely incidental to the main business actually conducted).
- Pool or Billiard Room.

PROOF OF AGE REQUIRED FOR MINORS 14 BUT NOT YET 18 YEARS OF AGE

Drivers License, Birth Certificate, Government Document with Date of Birth

"No individual in the United States shall, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any program or activity under the jurisdiction of the Kentucky Department of Labor."

FOR FURTHER INFORMATION CALL:

Kentucky Department of Labor
Division of Employment Standards,
Apprenticeship and Training
1047 U.S. HWY 127 South, Suite 4
Frankfort, Kentucky 40601-4381
Phone (502) 564-3070 Fax (502) 564-2248
Website: www.labor.ky.gov



POST THIS ORDER WHERE ALL EMPLOYEES MAY READ

PAID FOR WITH STATE FUNDS

Ley de Labor para Menores en Kentucky

Horas de trabajo permitidas para menores de 14 años y que no han cumplido los 18 años de edad

EDAD	NO DEBE TRABAJAR ANTES DE	NO DEBE TRABAJAR DESPUES DE	HORAS MAXIMAS CUANDO LA ESCUELA ESTA EN SESION	HORAS MAXIMAS CUANDO LA ESCUELA NO ESTA EN SESION
14 Y 15 AÑOS	7:00AM	7:00PM (9:00PM del 1 do Juno hasta el día de la labor)	3 horas por día en un día de escuela 8 horas por día en un día de no escuela 18 horas por semana	8 horas por día 40 horas por semana
16 Y 17 AÑOS	6:00AM	10:30PM noche anterior a día de escuela 1:00AM noche anterior a un día de no escuela	6 horas por día en un día de escuela 8 horas por día en un día de no escuela *30 horas por semana (mirar asterisco debajo)	NO RESTRICCIONES

*Un menor de 16 o 17 años de edad no debe trabajar más de 30 horas a la semana cuando la escuela esta en sesión, a excepción de un menor que puede trabajar 40 horas en una semana y que los padres o guardianes le hayan dado permiso por escrito para trabajar las 40 horas; además, el director o cabeza principal de la escuela a la cual el menor asiste debe hacer una certificación escrita de que el menor mantiene por lo menos un promedio académico de 2.0 en el reporte de calificaciones mas reciente. Esta certificación escolar debe ser valida por un año a menos que las autoridades escolares la suspendan antes. El permiso de los padres o guardianes y la certificación escolar debe permanecer en el lugar de negocios del empleador.

A menores de 18 años de edad no se les debe permitir trabajar más de 5 horas continuas sin un intervalo de por lo menos 30 minutos de almuerzo.

Definiciones: Sección 1. (1) "Escuela en Sesión" significa que el tiempo establecido por las autoridades distritales de la escuela local sigue a la KRS 160.290.

Menores de 14 años que no llegan a los 16 años de edad no deben ser empleados en: ninguna fabrica, mina, u ocupación de procesos, incluyendo ocupaciones que requieren la realización de funciones en cuartos de trabajo o lugar de trabajo donde los productos son fabricados, explotados, o procesados; ocupaciones que envuelvan la operación o atención de aparatos o de levantamientos o ninguna maquina de poder que no sea maquinas de oficina; operación de vehículos de motor o como ayudante con esos vehículos; servicio de mensajero publico; ocupaciones conectadas con: transportación de personas o propiedades por tren, autoplata, aire, aguas, tuberías, u otros almacenes y almacenamientos, comunicaciones y utilidades publicas, y construcciones (incluyendo demoliciones y reparaciones).

Ocupaciones Prohibidas para todos los menores de 18 años de edad

- | | |
|--|--|
| <ol style="list-style-type: none"> 1) Ocupaciones cerca de plantas o establecimientos de fabricas o almacenes de explosivos, o artículos que contengan componentes explosivos. 2) Conductor de vehículos de motor y ayudante de conductor. 3) Ocupaciones en minas de carbón. 4) Operaciones de troncos/maderas o aserraderos. 5) Operaciones de maquinarias de poder que trabajen con madera. 6) Exposición a sustancias radioactivas. 7) Operación de aparatos de poder. 8) Operación de maquinas de poder de formación de metales, perforadoras, y cortadoras. 9) Minas, otras que no sean de carbón. 10) Matanza, procesamiento, o empacamiento de carnes. 11) Operación de maquinarias de homo. 12) Operación de maquinarias de productos de papel. | <ol style="list-style-type: none"> 13) Fabricación de ladrillos, techos, pisos, paredes, y productos parecidos. 14) Operación de serruchos circulares, serruchos de bandas, y tijeras de guillotina. 15) Operaciones de destrucción, demolición, y rompimiento de barcos. 16) Operaciones de techos. 17) Operaciones de excavaciones. 18) Dentro, cerca, o en conexión con cualquier establecimiento donde bebidas alcohólicas están siendo destiladas, rectificadas, mezcladas, manufacturadas, embotelladas, y vendidas para consumo o distribución, a menos que sea permitido por las reglas y regulaciones del panel de control de bebidas alcohólicas (excepto que los menores deben ser empleados en lugares donde la venta de bebidas alcohólicas por paquetes es irrelevante al negocio principal del empleador). 19) Cuarto de mesa de billar. |
|--|--|

Prueba de edad es requerida a menores de 14 años y los que aun no cumplen 18 años de edad

Para mas información contacte al:

KENTUCKY DEPARTMENT OF LABOR
DIVISION OF EMPLOYMENT STANDARDS, APPRENTICESHIP AND TRAINING
1047 US HWY 127 S STE 4
FRANKFORT, KY 40601-4381
PHONE (502)564-3070 FAX (502)564-2248
www.labor.ky.gov

PONGA ESTA ORDEN DONDE TODOS LOS EMPLEADOS PUEDAN LEEBILA
Pagada con recursos del estado

"Ningún individuo en los Estados Unidos debe, por motivos de raza, color, religión, sexo, nacionalidad, origen, edad, incapacidad, partido político, o creencia, ser excluido de participar en, o ser negado de los beneficios de, o ser sujeto a discriminación en, ningún programa o actividad en la jurisdicción del Departamento de Trabajo de Kentucky"



Safety and Health on the Job



Kentucky Occupational Safety and Health Program

Kentucky Revised Statute (KRS) Chapter 338 establishes within the Department of Labor a program for protecting occupational safety and health. This mandatory poster details the safety and health protections for public and private sector employees working in the Commonwealth.

Employer Responsibilities: Employers shall furnish employment and places of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to employees, and shall comply with the occupational safety and health regulations, standards, and rules issued pursuant to KRS 338.

Employee Responsibilities: Employees shall comply with the occupational safety and health regulations, standards, and rules issued pursuant to KRS 338 which are applicable to their own actions and conduct.

Standards: Kentucky's occupational safety and health standards are adopted and promulgated by the Kentucky Occupational Safety and Health Standards Board. The Board consists of 13 members, comprised of the Commissioner of Labor who serves as Chair, and 12 other members equally representing industry, labor, agriculture, and the safety and health profession. The Board meets annually and additionally as needed. All meetings are open to the public.

Inspections: The Division of Compliance conducts periodic inspections of workplaces to determine the cause or prevent the occurrence of occupational injuries and illnesses. During an inspection a representative of the employer and a representative authorized by the employees must be given an opportunity to accompany the Compliance Officer for the purpose of aiding the inspection. Where there is no authorized employee representative, the Compliance Officer must consult with a reasonable number of employees regarding safety and health at the workplace.

Complaints: Employees or their authorized representative have the right to file a complaint with the Division of Compliance requesting an inspection if they believe a hazardous condition(s) exists in their workplace. The name of the complainant will be kept confidential upon request.

Discrimination Protections: Employees are protected against discharge and other discriminatory actions for having filed complaints and exercising any other right provided by the occupational safety and health laws. Employees who feel they have been so discriminated against may complain to the Kentucky Department of Labor within 120 days of the alleged discrimination. Private sector employees also have the option of filing discrimination complaints with the U.S. Department of Labor within 30 days. Complaint forms are available from the Division of Compliance, and on its Web page, located at: www.labor.ky.gov/osh/compliance.

Citations: A citation(s) alleging the violation of a Kentucky occupational safety and health law(s) or regulation(s) may be issued to an employer following an inspection. The citation(s) is mailed to the employer and specifies an abatement date by which the alleged violation must be corrected. To inform employees, the employer must post each citation at or near the location of the alleged violation for 3 days or until the violation is corrected, whichever is longer.

Proposed Penalties: An employer may be assessed penalties up to \$7,000 for each serious violation, and optional penalties up to \$7,000 for each other-than-serious violation. Failure to correct a violation within the specified time period may result in penalties of up to \$7,000 per day. Also, any employer who commits a willful or repeat violation(s) may be assessed a penalty of up to \$70,000 for each violation, and not less than \$5,000 for each willful violation.

Contesting Procedures: An employer who has been cited may contest the action before the Kentucky Occupational Safety and Health Review Commission. Equally, any employee or employee representative of an employer who has been cited may also contest the action. Any party wishing to contest a citation(s) must notify the Division of Compliance in writing of its intent to do so. Notices of contest must be postmarked within 15 working days of receipt by the employer of the citation(s). Notices of contest will be transmitted to the Review Commission in accordance with its rules.

Recordkeeping: Employers are required to maintain records of occupational fatalities, injuries, and illnesses experienced by their employees. Records must be kept using OSHA 300, 300-A, and 301, or equivalent forms. Unless requested to do so by the U.S. Bureau of Labor Statistics, employers with 10 or fewer employees, or whose establishments fall within the Standard Industrial Classification codes 52 through 89, are exempt from recordkeeping requirements.

Reporting: Employers must report to the Division of Compliance within 8 hours any incident which results in a fatality or the hospitalization of 3 or more employees. Incidents resulting in an amputation or the in-patient hospitalization of 1 or 2 employees must be reported within 72 hours. Mechanical power press point-of-operation injuries must be reported within 30 days.

Education & Training Services: The Division of Education and Training assists employers who are interested in preventing workplace injuries and illnesses by developing and improving their workplace safety management programs. All assistance is provided upon request, free of charge, and includes services such as: on-site consultative services, training courses, and informational and technical publications.

Federal/State Relations: The Commonwealth provides occupational safety and health protections under a plan approved in 1973 by the U.S. Department of Labor. Question and concerns regarding its administration may be addressed to the Kentucky Department of Labor, Office of Occupational Safety and Health. The U.S. Department of Labor monitors the plan to assure that continued approval is merited. Any person who has a complaint regarding the administration of the Kentucky plan may contact the U.S. Department of Labor/OSHA, Atlanta Federal Center, 61 Forsyth Street SW, Atlanta, Georgia 30303; (404) 562-2300.

Kentucky Department of Labor Office of Occupational Safety and Health

1047 U.S. 127 South, Suite 4

Frankfort, KY 40601

(502) 564-3070

www.labor.ky.us



J.R. Gray, Commissioner
Kentucky Department of Labor

"No individual in the United States shall, on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any program or activity under the jurisdiction of the Department of Labor."



Paid for with State & Federal Funds

INFORMATION ABOUT UNEMPLOYMENT INSURANCE BENEFITS

YOUR EMPLOYER IS SUBJECT TO KENTUCKY UNEMPLOYMENT INSURANCE LAW.

**YOU MAY BE ELIGIBLE FOR UNEMPLOYMENT BENEFITS IF YOU
LOSE YOUR JOB, ARE LAID OFF OR YOUR HOURS ARE REDUCED.**

TO QUALIFY FOR BENEFITS, YOU MUST

- Be unemployed through no fault of your own;
- Be able and available to work and making a reasonable effort to obtain new work; and
- Register for work when you file your claim.

You must also meet monetary eligibility requirements based on your earnings in your "base period," the first four of the five completed calendar quarters preceding your claim. These earnings also determine the amount of benefits you may be entitled to draw. Generally, if you have worked for more than a year and earned at least \$1500 during your base period, you may meet the monetary requirements for a claim.

IF YOU LOSE YOUR JOB OR ARE LAID OFF:

1. File your claim within the first week after you become unemployed, by filing on the internet at www.oet.ky.gov, or by telephone at **(859) 547-3362** Monday through Friday, 7:30am-5:30pm ET (this is **not** a toll-free number).
2. After filing your claim, file continuing claims bi-weekly while you are unemployed, through the web site or by toll-free telephone at (866) 291-2926.

IF YOUR HOURS ARE REDUCED OR YOU HAVE MEDICAL RESTRICTIONS:

You may be eligible for partial benefits if you are still employed by your regular employer but are working less than your normal full-time hours **due to lack of available work**, or lack of work available to you due to **work-related medical restrictions**. Benefits are not paid in the case of reduction in hours due to total disability, vacation or personal reasons.

WORKERS' COMPENSATION RECIPIENTS

If you missed at least seven weeks of earnings due to injury in any quarter during your base period, and were eligible for Workers' Compensation (whether or not you drew it), you may be able to use wages earned before your injury to qualify for unemployment benefits. To qualify, you must file your claim within the first four weeks that you are unemployed following the period covered by Workers' Compensation. Contact your nearest Unemployment Insurance office for more information.

**CONTRIBUTIONS TO THE UNEMPLOYMENT BENEFIT FUND ARE PAID BY EMPLOYERS. NO
DEDUCTIONS ARE MADE FROM EMPLOYEE WAGES FOR THAT PURPOSE!**

**—IMPORTANT NOTICE—
BY LAW AN INDIVIDUAL MAY BE PENALIZED, FINED OR IMPRISONED FOR FALSE STATEMENTS
MADE FOR THE PURPOSE OF OBTAINING BENEFITS NOT OTHERWISE DUE!**

POS-UI-5.1
(REV. 08.07)

Education Cabinet
Department for Workforce Investment
Office of Employment and Training
Division of Unemployment Insurance
275 East Main Street
Frankfort, KY 40621



INFORMACIÓN ALREDEDOR VENTAJAS DEL SUBSIDIO DE PARO

**SU PATRÓN ESTÁ CONFORME A
KENTUCKY LEY DEL SUBSIDIO DE PARO.
USTED PUEDE SER ELEGIBLE PARA LOS SUBSIDIOS DE DESEMPLEO SI
USTED
PIERDA SU TRABAJO, SE DESPIDEN O SE REDUCEN SUS HORAS .
CALIFICAR PARA LAS VENTAJAS, USTED DEBE**

- Esté parado a través de ninguna avería sus el propios;
 - Esté capaz y disponible para trabajar y haciendo un esfuerzo razonable de obtener el nuevo trabajo; y
 - Coloquese para el trabajo cuando usted archiva su demanda.
- Usted debe también resolver los requisitos monetarios de la elegibilidad basados en sus ganancias en su "período bajo," los primeros cuatro de los cinco cuartos terminados del calendario que preceden su demanda. Estas ganancias también determinan la cantidad de ventajas que usted puede ser dado derecho a dibujar. Generalmente, si usted ha trabajado para más que un año y por lo menos \$1500 ganados durante su período bajo, usted puede resolver los requisitos monetarios para una demanda.

SI USTED PIERDE SU TRABAJO O SE DESPIDE:

1. Archive su demanda dentro de la primera semana después de que usted haga parado, archivando en el Internet en www.oet.ky.gov, o por el teléfono en **(859) 547-3362** Lunes hasta el viernes 7: 30am-5: 30pm ET (esto es **no** un número gratis).
2. Después de que archive su demanda, demandas de continuación del archivo dos veces por semana mientras que usted está parado, con el Web site o por el teléfono gratis en (866) 291-2926.

SI SE REDUCEN SUS HORAS O USTED TIENE RESTRICCIONES MÉDICAS:

Usted puede ser elegible para las ventajas parciales si a su patrón regular le todavía emplea pero está trabajando menos que sus horas a tiempo completo normales **debido a la carencia del trabajo disponible**, o carencia del trabajo disponible para usted debido a **restricciones médicas trabajar-relacionadas**. Las ventajas no son pagadas en el caso de la reducción en las horas debido a la inhabilidad total, a las vacaciones o a las razones personales.

RECIPIENTES DE LA REMUNERACIÓN DE LOS TRABAJADORES'

Si usted faltó por lo menos siete semanas de ganancias debido a lesión en cualquier cuarto durante su período bajo, y era elegible para remuneración de los trabajadores ' (si o no usted la dibujó), usted puede poder utilizar los salarios ganados antes su lesión a calificar para los subsidios de desempleo. Para calificar, usted debe archivar su demanda en el plazo de las primeras cuatro semanas que usted es parados después del período cubierto por remuneración de Workers'. Entre en contacto con su oficina más cercana del subsidio de paro para más información.

**LAS CONTRIBUCIONES AL FONDO DEL SUBSIDIO DE DESEMPLEO SON PAGADO
POR EMPLOYERS. NINGUNAS DEDUCCIONES ISE HACEN DE LOS SALARIOS
DEL EMPLEADO PARA ESE PROPÓSITO!**

**- AVISO IMPORTANTE -
IPOR LAW AN INDIVIDUAL PUEDE SER PENALIZADO, MULTADO O
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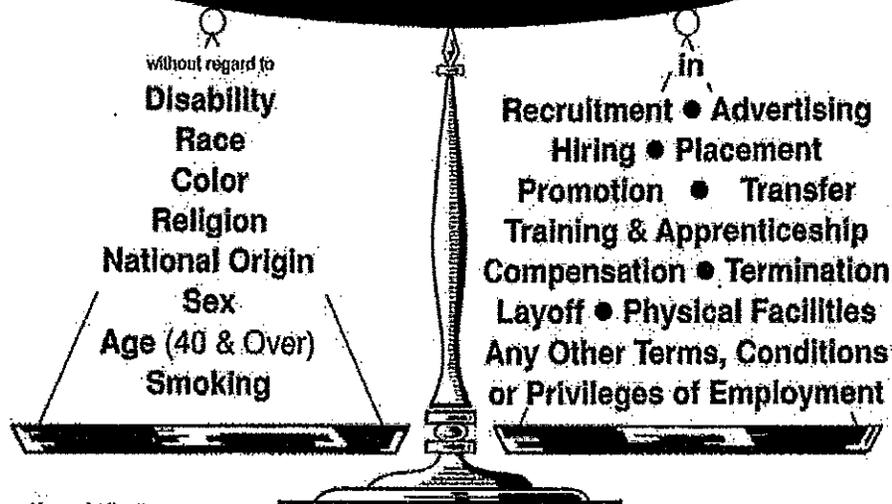
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Departamento para la
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entrenamiento
División del subsidio de paro
Calle principal del este 275



Kentucky Law Requires

EQUAL EMPLOYMENT OPPORTUNITY



If you believe you
have experienced
discrimination, contact:

KENTUCKY COMMISSION ON HUMAN RIGHTS

The Hayburn Building, Suite 700
332 West Broadway
Louisville, KY 40202
Call Toll Free 1-800-292-5566
Or (502) 595-4024
TDD (502) 595-4084



Kentucky

Posting this notice is required by law.

The Kentucky Civil Rights Act
prohibits discrimination by:

- ▶ Employers
- ▶ Labor Organizations
- ▶ Employment Agencies
- ▶ Licensing Agencies

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

FEDERAL MINIMUM WAGE

\$5.85 PER HOUR

BEGINNING JULY 24, 2007

\$6.55 PER HOUR

BEGINNING JULY 24, 2008

\$7.25 PER HOUR

BEGINNING JULY 24, 2009

OVERTIME PAY

At least $1\frac{1}{2}$ times your regular rate of pay for all hours worked over 40 in a workweek.

YOUTH EMPLOYMENT

An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor.

Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs under the following conditions:

No more than

- 3 hours on a school day or 18 hours in a school week;
- 8 hours on a non-school day or 40 hours in a non-school week.

Also, work may not begin before 7 a.m. or end after 7 p.m., except from June 1 through Labor Day, when evening hours are extended to 9 p.m. Different rules apply in agricultural employment. For more information, visit the YouthRules! Web site at www.youthrules.dol.gov.

TIP CREDIT

Employers of "tipped employees" must pay a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference. Certain other conditions must also be met.

ENFORCEMENT

The Department of Labor may recover back wages either administratively or through court action, for the employees that have been underpaid in violation of the law. Violations may result in civil or criminal action.

Civil money penalties of up to \$11,000 per violation may be assessed against employers who violate the youth employment provisions of the law and up to \$1,100 per violation against employers who willfully or repeatedly violate the minimum wage or overtime pay provisions. This law prohibits discriminating against or discharging workers who file a complaint or participate in any proceedings under the Act.

ADDITIONAL INFORMATION

- Certain occupations and establishments are exempt from the minimum wage and/or overtime pay provisions.
- Special provisions apply to workers in American Samoa and the Commonwealth of the Northern Mariana Islands.
- Some state laws provide greater employee protections; employers must comply with both.
- The law requires employers to display this poster where employees can readily see it.
- Employees under 20 years of age may be paid \$4.25 per hour during their first 90 consecutive calendar days of employment with an employer.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.



For additional information:

1-866-4-USWAGE

(1-866-487-9243)

TTY: 1-877-889-5627



WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Employment Standards Administration | Wage and Hour Division

WHD Publication 1088 (Revised June 2007)

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

FEDERAL MINIMUM WAGE

\$5.85 PER HOUR **\$6.55** PER HOUR **\$7.25** PER HOUR

BEGINNING JULY 24, 2007

BEGINNING JULY 24, 2009

BEGINNING JULY 24, 2009

STATE AND LOCAL GOVERNMENT EMPLOYEES

OVERTIME PAY

At least 1½ times your regular rate of pay for all hours worked over 40 in a workweek.

Law enforcement and fire protection personnel: You may be paid overtime on the basis of a "work period" of between 7 and 28 consecutive days in length, rather than on a 40-hour workweek basis.

COMPENSATORY TIME

Employees may receive compensatory time off instead of cash overtime pay, at a rate of not less than 1½ hours for each overtime hour worked, where provided pursuant to an agreement or understanding that meets the requirements of the Act.

EXEMPTIONS

The Act does not apply to persons who are not subject to the civil service laws of State or local governments and who are: elected public officials, certain immediate advisors to such officials, certain individuals appointed or selected by such officials to serve in various capacities, or employees of legislative branches of State and local governments. Employees of legislative libraries do not come within this exclusion and are thus covered by the Act.

Certain types of workers are exempt from the minimum wage and overtime pay provisions, including bona fide executive, administrative, and professional employees who meet regulatory requirements.

Any law enforcement or fire protection employee who in any workweek is employed by a public agency employing less than 5 employees in law enforcement or fire protection activities is exempt from the overtime pay provisions.

YOUTH EMPLOYMENT

16 years old is the minimum age for most occupations. An 18-year old minimum applies to hazardous occupations. Miners 14 and 15 years old may work outside school hours under certain conditions. For more information, visit the YouthRules! Web site at www.youthrules.dol.gov.

ENFORCEMENT

The Department of Labor may recover back wages either administratively or through court action for the employees that have been underpaid in violation of the law. Violations may result in civil or criminal action.

Civil money penalties of up to \$11,000 per violation may be assessed against employers who violate the youth employment provisions of the law and up to \$1,100 per violation against employers who willfully or repeatedly violate the minimum wage or overtime pay provisions. This law prohibits discriminating against or discharging workers who file a complaint or participate in any proceedings under the Act.

ADDITIONAL INFORMATION

- Some state laws provide greater employee protections; employers must comply with both.
- Employees under 20 years of age may be paid a youth minimum wage of not less than \$4.25 an hour during their first 90 consecutive calendar days after initial employment by an employer.
- Employers are required to display this poster where employees can readily see it.



For additional information:

1-866-4-USWAGE 

(1-866-487-9243)

TTY: 1-877-999-5627

U.S. Wage and Hour Division

WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Employment Standards Administration | Wage and Hour Division

WHD Publication 1385
(Revised July 2007)

Your Rights under the Family and Medical Leave Act of 1993

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for their employer for at least one year, and for 1,250 hours over

the previous 12 months, and if there are at least 50 employees within 75 miles. The FMLA permits employees to take leave on an intermittent basis or to work a reduced schedule under certain circumstances.

Reasons for Taking Leave:

Unpaid leave must be granted for *any* of the following reasons:

- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son or daughter, or parent who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

At the employee's or employer's option, certain kinds of *paid* leave may be substituted for unpaid leave.

Advance Notice and Medical Certification:

The employee may be required to provide advance leave notice and medical certification. Taking of leave may be denied if requirements are not met.

- The employee ordinarily must provide 30 days advance notice when the leave is "foreseeable."
- An employer may require medical certification to support a request for leave because of a serious health condition, and may require second or third opinions (at the employer's expense) and a fitness for duty report to return to work.

Job Benefits and Protection:

- For the duration of FMLA leave, the employer must maintain the employee's health coverage under any "group health plan."

- Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.
- The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Unlawful Acts by Employers:

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA;
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement:

- The U.S. Department of Labor is authorized to investigate and resolve complaints of violations.
- An eligible employee may bring a civil action against an employer for violations.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

For Additional Information:

If you have access to the Internet visit our FMLA website: <http://www.dol.gov/esa/whd/fmla>. To locate your nearest Wage-Hour Office, telephone our Wage-Hour toll-free information and help line at 1-866-4USWAGE (1-866-487-9243): a customer service representative is available to assist you with referral information from 8am to 5pm **in your time zone**; or log onto our Home Page at <http://www.wagehour.dol.gov>.



U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division
Washington, D.C. 20210

WH Publication 1420
Revised August 2001

NOTICE

Military Family Leave

On January 28, President Bush signed into law the National Defense Authorization Act for FY 2008 (NDAA), Public Law 110-181. Section 585(a) of the NDAA amended the FMLA to provide eligible employees working for covered employers two important new leave rights related to military service:

- (1) New Qualifying Reason for Leave.** Eligible employees are entitled to up to 12 weeks of leave because of "any qualifying exigency" arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. By the terms of the statute, this provision requires the Secretary of Labor to issue regulations defining "any qualifying exigency." In the interim, employers are encouraged to provide this type of leave to qualifying employees.

- (2) New Leave Entitlement.** An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the servicemember. This provision became effective immediately upon enactment. This military caregiver leave is available during "a single 12-month period" during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

Additional information on the amendments and a version of Title I of the FMLA with the new statutory language incorporated are available on the FMLA amendments Web site at http://www.dol.gov/esa/whd/fmla/NDAA_fmla.htm.

